

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, JULY 11, 2006 AT 10:00 A.M.  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**  
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**OTHER LEGISLATIVE MEETINGS**

The **SAN DIEGO REDEVELOPMENT AGENCY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Redevelopment Agency Secretary at (619) 533-5432.

A Special Meeting of the **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Housing Authority Secretary at (619) 578-7532.

ITEM-1:                      ROLL CALL.

ITEM-10:                    INVOCATION.

ITEM-20:                    PLEDGE OF ALLEGIANCE.

**=== LEGISLATIVE SCHEDULE ===**

Special Orders of Business

ITEM-30:                    Approval of Council Minutes.

ITEM-31:                    Collection Services Fleet Management Day.  
MAYOR SANDERS’ AND COUNCIL PRESIDENT PETERS’  
RECOMMENDATION: Adopt the resolution.

=== **LEGISLATIVE SCHEDULE (Continued)** ===

Special Orders of Business (Continued)

ITEM-32: Joyce Lane Day.  
COUNCILMEMBER ATKINS' AND COUNCILMEMBER FRYE'S  
RECOMMENDATION: Adopt the resolution.

**NON-AGENDA PUBLIC COMMENT**

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under "Non-Agenda Public Comment."

**COUNCIL, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY COMMENT**

**REQUESTS FOR CONTINUANCE**

The Council will now consider requests to continue specific items.

**=== LEGISLATIVE SCHEDULE (Continued) ===**

Adoption Agenda, Consent Items

- ITEM-50: No Smoking Ordinance for San Diego's Parks and Beaches.  
CITY COUNCIL'S RECOMMENDATION: Adopt the ordinance which was introduced on 6/19/2006, Item 150.
- ITEM-51: Eight actions related to One Year Extension of the Time Limits for the Effectiveness of the Barrio Logan, City Heights, College Grove, College Community, Naval Training Center, North Bay, North Park, and San Ysidro Redevelopment Plans and the Date All Debt Must Be Repaid to Receive Tax Increment. (Barrio Logan, City Heights, College Area, Eastern Area, Linda Vista, Midway/Pacific Highway, Peninsula, Old Town, North Park, and San Ysidro Community Areas. Districts 2, 3, 4, 6, 7, and 8.)  
CITY COUNCIL'S RECOMMENDATION: Adopt the ordinances which were introduced on 6/20/2006, Item 330.
- ITEM-52: Transfer of Express Waste & Roll Services Non-Exclusive Solid Waste Collection Franchise Agreement.  
CITY COUNCIL'S RECOMMENDATION: Adopt the ordinance which was introduced on 6/27/2006, Item 52.
- ITEM-53: USA Gas Station No. 855. (Southeastern San Diego Community Plan Area. District 4.)  
CITY COUNCIL'S RECOMMENDATION: Adopt the ordinance which was introduced on 6/26/2006, Item 200, Subitem A.
- ITEM-54: First Amendment to Agreement with Latitude 33 Planning and Engineering for Camino Del Sur Extension Project. (Rancho Peñasquitos Community Area. District 1.)  
STAFF'S RECOMMENDATION: Introduce the following ordinance.
- ITEM-100: 800 MHz Radio Network Usage Agreement between the City of San Diego and the San Diego Unified School District.  
STAFF'S RECOMMENDATION: Adopt the resolution.

=== **LEGISLATIVE SCHEDULE (Continued)** ===

Adoption Agenda, Consent Items (Continued)

- ITEM-101: Awarding As-Needed Contract to Southwest Traffic Signal Service, Inc. for Construction of Street Lighting and Traffic Signal Improvements at Various Locations.  
STAFF'S RECOMMENDATION: Adopt the resolution.
- ITEM-102: Consulting Agreement with URS Corporation Americas for Long Term Disposal Capacity Project.  
STAFF'S RECOMMENDATION: Adopt the resolution.
- ITEM-103: Taylor Street Slope Reconstruction. (Old San Diego Community Area. District 2.)  
STAFF'S RECOMMENDATION: Adopt the resolution.
- ITEM-104: Inviting Bids for the Construction of the MBC Lime Mixer Bypass and Emergency Truck Loadout Station. (District 7.)  
NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION: On 2/28/06, NR&C voted 4 to 0 to approve.
- ITEM-105: Inviting Bids for the General Requirements Contract 2006M – Mechanical Systems Contract.  
NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION: On 6/28/2006, NR&C voted 4 to 0 to approve the resolution.
- ITEM-106: Inviting Bids for the General Requirements Contract 2006E – Electrical Systems Contract.  
NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION: On 6/28/2006, NR&C voted 4 to 0 to approve.
- ITEM-107: Drainage Easement Vacation in Lot 3 of Vista Terrace Hills, Unit No. 2, Map No. 668. (San Ysidro Community Area. District 8.)  
STAFF'S RECOMMENDATION: Adopt the resolution.

**=== LEGISLATIVE SCHEDULE (Continued) ===**

Adoption Agenda, Consent Items (Continued)

- ITEM-108: Water Easement Vacation in a Portion of Parcel 1 of Parcel Map 14519.  
(Linda Vista Community Area. District 6.)  
STAFF'S RECOMMENDATION: Adopt the resolution.
- ITEM-109: Regional Interoperable Communications Development Grant Funded  
Expenditures.  
STAFF'S RECOMMENDATION: Adopt the resolution.
- ITEM-110: Fiscal Year 2007 Office of Traffic Safety Grant Program.  
STAFF'S RECOMMENDATION: Adopt the resolution.
- ITEM-111: Cuvier Street 20SD Conversion - Easement Grant to San Diego Gas &  
Electric (SDG&E). (La Jolla Community Area. District 1.)  
STAFF'S RECOMMENDATION: Adopt the resolution.
- ITEM-112: Northwest Police Substation – Easement Grant to San Diego Gas &  
Electric (SDG&E). (Carmel Valley Community Area. District 1.)  
STAFF'S RECOMMENDATION: Adopt the resolution.
- ITEM-113: Corridor Park 20A Conversion – Easement Grant to San Diego Gas &  
Electric (SDG&E). (Southcrest Community Area. District 4.)  
STAFF'S RECOMMENDATION: Adopt the resolution.
- ITEM-114: Excusing Council President Pro Tem Young from Attending the City  
Council Meeting of June 20, 2006.  
COUNCILMEMBER PRO TEM YOUNG'S RECOMMENDATION:  
Adopt the resolution.
- ITEM-115: Excusing Councilmember Madaffer from Attending the City Council and  
Closed Session Meetings on July 10 & 11, 2006.  
COUNCILMEMBER MADAFFER'S RECOMMENDATION: Adopt the  
resolution.

=== **LEGISLATIVE SCHEDULE (Continued)** ===

Adoption Agenda, Consent Items (Continued)

- ITEM-116: Excusing Councilmember Madaffer from Attending the Rules, Open Government, and Intergovernmental Relations Committee Meeting of July 12, 2006.  
COUNCILMEMBER MADAFFER'S RECOMMENDATION: Adopt the resolution.
- ITEM-117: Interfaith Shelter Network Day.  
COUNCIL PRESIDENT PETERS' RECOMMENDATION: Adopt the resolution.
- ITEM-118: Uptown Sunrise Rotary 5<sup>th</sup> Anniversary Day.  
COUNCILMEMBER ATKINS' RECOMMENDATION: Adopt the resolution.
- ITEM-119: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico. (District 8.)  
TODAY'S ACTION IS: Adopt the resolution.
- ITEM-120: Declaring a Continued State of Emergency Due to Severe Shortage of Affordable Housing in the City.  
TODAY'S ACTION IS: Adopt the resolution.

Adoption Agenda, Discussion, Other Legislative Items

**NOTE: This item was moved to the Docket of Monday, July 10, 2006, Item 201.**

**There is no Item 330 on today's agenda.**

- ITEM-330: Second Amendment to the FY 2006 Agreement with the San Diego Unified School District (District) regarding Funding for San Diego's "6 to 6" Extended School Day Program.  
STAFF'S RECOMMENDATION: Adopt the resolution.

**NOTE: This item was moved to the Docket of Monday, July 10, 2006, Item 202.**

**There is no Item 331 on today's agenda.**

- ITEM-331: Agreement with the San Diego Unified School District (District) for Fiscal Year 2007 "6 to 6" Extended School Day Program.  
STAFF'S RECOMMENDATION: Adopt the resolution.

**=== LEGISLATIVE SCHEDULE (Continued) ===**

Adoption Agenda, Discussion, Other Legislative Items (Continued)

**The following Item 332 may be heard after the consent agenda in the morning.**

ITEM-332: Approval of the Initiation of Certain Amendments to the City of San Diego Progress Guide and General Plan, the Southeastern San Diego Community Plan, the Skyline-Paradise Hills Community Plan, and the Southeastern San Diego Planned District Ordinance. (Southeastern San Diego Community Area. District 4.)  
SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S RECOMMENDATION: Adopt the resolution.

**The following items will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-333: Clean Syringe Exchange Program. (East Village and North Park Community Areas. Districts 2 and 3.)  
STAFF'S RECOMMENDATION: Adopt the resolution.

ITEM-334: In the Matter of City of San Diego v. Chapin (GIC 863096).  
COUNCIL PRESIDENT PETERS' S RECOMMENDATION: Take the actions.

Noticed Hearings, Discussion

ITEM-335: Two actions related to Cherokee Point Elementary/Ibarra Elementary Sewer Easements Vacation and Street Dedications. (Mid-Cities Community Planning Area. Districts 3 and 7.)  
  
Matter of approving, conditionally approving, modifying or denying a vacation of sewer and drainage easements, and street dedications within the Mid-Cities Community Plan area.  
STAFF'S RECOMMENDATION: Adopt the resolutions.

**=== LEGISLATIVE SCHEDULE (Continued) ===**

Noticed Hearings, Discussion (Continued)

**The following items will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

- ITEM-336:            Three actions related to Disposition and Development Agreement and Associated Actions for La Entrada Family Housing Project. (Barrio Logan Community Area. District 8.)  
REDEVELOPMENT AGENCY'S RECOMMENDATION: Adopt the resolutions.
- ITEM-337:            Proposed Amendments to the Airport Approach Overlay Zone-Area Wide. (Districts 2, 3, and 8.)  
CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION: Introduce the ordinance.

Adoption Agenda, Discussion, Other Legislative Items

**The following Item 338 may be heard after the consent agenda in the morning.**

- ITEM-338:            Public Safety Strategic Plan. (Citywide.)  
STAFF'S RECOMMENDATION: Take the action.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

**=== EXPANDED CITY COUNCIL AGENDA ===**

SPECIAL ORDERS OF BUSINESS

ITEM-30: Approval of Council Minutes.

**TODAY'S ACTION IS:**

Approval of Council Minutes for the meetings of:

03/27/2006  
03/28/2006  
04/03/2006  
04/04/2006  
04/10/2006 - Adjourned  
04/11/2006 - Adjourned  
04/17/2006  
04/18/2006  
04/24/2006  
04/25/2006

ITEM-31: Collection Services Fleet Management Day.

**MAYOR SANDERS' AND COUNCIL PRESIDENT PETERS' RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1122)

Recognizing and appreciating the Environmental Services Department's  
Collection Services management team;

Proclaiming July 11, 2006, to be "Collection Services Fleet Management Day" in  
the City of San Diego.

SPECIAL ORDERS OF BUSINESS (Continued)

ITEM-32: Joyce Lane Day.

**COUNCILMEMBER ATKINS' AND COUNCILMEMBER FRYE'S  
RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1018)

Recognizing and commending Joyce Lane for her dedication, service, and contributions to the City of San Diego;

Proclaiming July 11, 2006, to be "Joyce Lane Day" in the City of San Diego.

**ADOPTION AGENDA, CONSENT ITEMS**

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING  
WITH THE READING AND ADOPTION:

\* ITEM-50: No Smoking Ordinance for San Diego's Parks and Beaches.

(See Report from Council President Peters and Councilmember Madaffer dated  
5/16/2006 and memorandum from William Lansdowne dated 5/12/2006.)

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 6/19/2006, Item 150. (Council  
voted 8-0):

(O-2006-132 Cor. Copy)

Amending Chapter 4, Article 3, Division 10, of the San Diego Municipal Code,  
by amending Sections 43.1001, 43.1002, and 43.1003, and by amending  
Chapter 6, Article 3, Division 1, Section 63.0102, all relating to the smoking and  
disposal of tobacco products at public parks and beaches.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING  
WITH THE READING AND ADOPTION: (Continued)

- \* ITEM-51: Eight actions related to One Year Extension of the Time Limits for the Effectiveness of the Barrio Logan, City Heights, College Grove, College Community, Naval Training Center, North Bay, North Park, and San Ysidro Redevelopment Plans and the Date All Debt Must Be Repaid to Receive Tax Increment.

(See Redevelopment Agency Report RA-06-29. Barrio Logan, City Heights, College Area, Eastern Area, Linda Vista, Midway/Pacific Highway, Peninsula, Old Town, North Park, and San Ysidro Community Areas. Districts 2, 3, 4, 6, 7, and 8.)

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinances which were introduced on 6/20/2006, Item 330. (Council voted 6-1. Councilmember Frye voted nay. Council President Pro Tem Young not present):

Subitem-A: (O-2006-136)

Amending the Redevelopment Plan for the Barrio Logan Redevelopment Project Area extending the plan effectiveness deadline, repayment of indebtedness deadline, and tax increment receipt deadline.

Subitem-B: (O-2006-138)

Amending the Redevelopment Plan for the City Heights Redevelopment Project Area extending the plan effectiveness deadline, repayment of indebtedness deadline, and tax increment receipt deadline.

Subitem-C: (O-2006-137)

Amending the Redevelopment Plan for the College Community Redevelopment Project Area extending the plan effectiveness deadline, repayment of indebtedness deadline, and tax increment receipt deadline.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING  
WITH THE READING AND ADOPTION: (Continued)

\* ITEM-51: (Continued)

Subitem-D: (O-2006-143)

Amending the Redevelopment Plan for the College Grove Redevelopment Project Area extending the plan effectiveness deadline, repayment of indebtedness deadline, and tax increment receipt deadline.

Subitem-E: (O-2006-142)

Amending the Redevelopment Plan for the Naval Training Center Redevelopment Project Area extending the plan effectiveness deadline, repayment of indebtedness deadline, and tax increment receipt deadline.

Subitem-F: (O-2006-140)

Amending the Redevelopment Plan for the North Bay Redevelopment Project Area extending the plan effectiveness deadline, repayment of indebtedness deadline, and tax increment receipt deadline.

Subitem-G: (O-2006-141)

Amending the Redevelopment Plan for the North Park Redevelopment Project Area extending the plan effectiveness deadline, repayment of indebtedness deadline, and tax increment receipt deadline.

Subitem-H: (O-2006-139)

Amending the Redevelopment Plan for the San Ysidro Redevelopment Project Area extending the plan effectiveness deadline, repayment of indebtedness deadline, and tax increment receipt deadline.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING  
WITH THE READING AND ADOPTION: (Continued)

- \* ITEM-52: Transfer of Express Waste & Roll Services Non-Exclusive Solid Waste  
Collection Franchise Agreement.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 6/27/2006, Item 52. (Council  
voted 7-0. Councilmember Madaffer not present):

(O-2006-152)

Approving the transfer of a non-exclusive solid waste collection franchise from  
Express Waste & Roll Off Services, LLC, to Express Waste & Recycling, Inc;

Authorizing the Mayor to execute, for and on behalf of the City, a Class I  
Non-Exclusive Solid Waste Collection Franchise Agreement with Express Waste  
& Recycling, Inc., under the terms and conditions set forth in the Franchise  
Agreement;

Declaring this activity is not subject to the California Environmental Quality Act,  
pursuant to CEQA Guidelines Section 15060(c)(2) because this activity will not  
result in a direct or reasonably foreseeable indirect physical change in the  
environment.

**NOTE:** 6 votes required.

**ADOPTION AGENDA, CONSENT ITEMS (Continued)**

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING  
WITH THE READING AND ADOPTION: (Continued)

\* ITEM-53: USA Gas Station No. 855.

(See Report to the City Council No. 06-091. Southeastern San Diego Community  
Plan Area. District 4.)

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 6/26/2006, Item 200,  
Subitem A. (Council voted 8-0):

(O-2006-148)

Changing 0.12-acre located at 3481 National Avenue, within the Southeastern San  
Diego Community Plan Area, in the City of San Diego, California, from the MF-  
1500 Zone (Southeastern Planned District) into the CT-2 Zone, as defined by the  
San Diego Municipal Code Section 103.1707.

**NOTE:** This item is not subject to Mayor's veto.

**ADOPTION AGENDA, CONSENT ITEMS**

**ORDINANCES TO BE INTRODUCED:**

- \* ITEM-54: First Amendment to Agreement with Latitude 33 Planning and Engineering for Camino Del Sur Extension Project.

(Rancho Peñasquitos Community Area. District 1.)

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2006-153)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute, for and on behalf of the City of San Diego, a First Amendment to the Agreement with Latitude 33 Planning and Engineering (Latitude 33), for professional engineering and environmental services for the Camino Del Sur Extension Project under the terms and conditions set forth in the document, for an amount not to exceed \$74,311.05;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$74,311.05 from CIP-52-653.0, Camino Del Sur Alignment Study, Fund 79004, for the aforementioned First Amendment to the Agreement with Latitude 33, contingent upon the City Auditor and Comptroller certifying the necessary funds are, or will be, on deposit with the City Treasurer; and

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

**NOTE:** 6 votes required.

**STAFF SUPPORTING INFORMATION:**

On April 20, 2000, per R-292929, the City Council authorized the City Manager to execute an agreement with Latitude 33 Planning and Engineering for engineering and environmental consulting services to provide an alignment study, CEQA document and permit applications, in an amount not to exceed \$451,613 for Camino Del Sur (formerly Camino Ruiz) from Carmel Mountain Road to 1600 feet north of Park Village Road. This amendment is required because of the additional work required to be performed by consultant beyond the original scope of work.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

ORDINANCES TO BE INTRODUCED: (Continued)

\* ITEM-54: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

This work includes preparing additional project alternatives; complying with new requirements for storm water quality issues; responding to additional issues raised by resource agencies pertaining to vernal pool mitigation procedures and a need for a wildlife undercrossing.

In addition, a condition of the Planning Commission's approval of the project's Final Environmental Impact Report and Site Development Permit on February 2, 2006, is for City staff and the project's consultants to cooperate with the Endangered Habitat League and the Friends of Los Peñasquitos Canyon Preserve to identify the appropriate wildlife undercrossing and identify full funding for the undercrossing by December 31, 2006. If the funding cannot be identified, then the condition becomes null and void, and the project will proceed without the undercrossing.

**FISCAL CONSIDERATIONS:**

This action will increase the authorized expenditure for professional engineering and environmental services total from \$451,613 to \$525,924.05

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

City Council Resolution R-292929, dated April 20, 2000, authorized an agreement with Latitude 33 Planning and Engineering for engineering and environmental consulting services for the project.

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

On August 3, 2005, the Rancho Peñasquitos Planning Board voted on two motions. The group first voted 11:0:0 to approve the proposed four lane roadway extension of Camino Del Sur. They also voted 7:3:0 to not include the wildlife corridor.

**KEY STAKEHOLDERS:**

Latitude 33 Planning and Engineering  
Helix Environmental  
Simon Wong Engineering  
Rancho Peñasquitos and Torrey Highlands Communities

Boekamp/Haas

Aud. Cert. 2600868.

Staff: Brad Johnson - (619) 533-3770  
Jeremy Jung - Deputy City Attorney

**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS:**

- \* ITEM-100: 800 MHz Radio Network Usage Agreement between the City of San Diego and the San Diego Unified School District.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1045)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a ten-year agreement with the San Diego Unified School District, for school district use of the City's radio network, under the terms and conditions set forth in the 800 MHz Communications System Agreement;

Authorizing the City Auditor and Comptroller to deposit funds received under this agreement into Fund No. 50064, Revenue Account 79281, IT&C Services to City Schools;

Declaring this activity is not a project and therefore is not subject to the California Environmental Quality Act pursuant to CEQA Guidelines Section 15060(c)(3).

**STAFF SUPPORTING INFORMATION:**

This is a 10-year renewal agreement for use of the City's 800 MHz Radio Network. In 1991, the City and the San Diego Unified School District (SDUSD) entered into a 15 year agreement that allowed the SDUSD to utilize the City's 800 MHz Radio Network. Since 1991, SDUSD has utilized the network to provide radio communications for SDUSD staff. This agreement provides for SDUSD to continue to use the City's radio network and pay the monthly fixed and variable user charges for the use. Communications Division will also provide installation and maintenance services to SDUSD on a time and materials basis.

**FISCAL CONSIDERATIONS:**

Annual revenues are expected to be approximately \$300,000.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

RR-278323

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

N/A

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-100: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

**KEY STAKEHOLDERS AND PROJECTED IMPACTS:**  
N/A

McGarvey/Reynolds

Staff: Sue Levine - (619) 525-8651  
Frederick M. Ortlieb - Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- \* ITEM-101: Awarding As-Needed Contract to Southwest Traffic Signal Service, Inc. for Construction of Street Lighting and Traffic Signal Improvements at Various Locations.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1011)

Authorizing the Mayor, having advertised for bids in accordance with law, to award the As-Needed Construction of Street Lighting and Traffic Signal Improvements at Various Locations contract to the Southwest Traffic Signal Service Inc., in an amount not to exceed \$1,000,000 for the period between April 10, 2006 and April 9, 2007;

Authorizing the Mayor to renew the contract on the same terms for one additional year, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the expenditure of \$50,000 from Fund No. 30300, Transnet, CIP-68-011.0, Fiscal Year 2005 traffic signal modifications/modernization at various locations;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Finding this activity is not a project because this activity is a governmental fiscal activity that does not involve a commitment to a specific project which may result in a potentially significant physical impact on the environment and therefore this activity is not subject to the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15060(c)(3).

**STAFF SUPPORTING INFORMATION:**

The Engineering and Capital Projects Department/Transportation Engineering Division has a continuing need for as-needed street light and traffic signal improvement contracts for small accelerated projects. The As-Needed Construction Contract will reduce the time needed to complete a small project by eliminating the bid process on the specific street lighting and/or traffic signal improvement projects.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-101: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

The contractor has bid unit prices on various items of work which are non-project specific. These prices remain in effect for the one-year term of the contract.

Prior to executing a Task Order, General Services Department/Street Division will evaluate each task order's scope, budget and schedule to determine if its City crews have the resources and expertise to more effectively complete the work. If a project is identified as an As-Needed task, a site visit is scheduled where scope is discussed by the City and contractor. Once there is agreement on scope and quantities, the City processes a Task Authorization and issues a Notice to Proceed with Construction to the contractor. The contractor will have an incentive to deliver quality work in a timely fashion in order to get additional work under the contract.

The City advertised the contract under a sealed competitive bid process. The bid proposal consisted of 110 separate items of work, with two bids for each item depending on whether labor rates were non-prevailing wage or State of California prevailing wage. The project was advertised for five weeks. Five bid packages were issued. Two complete and acceptable bid packages were received. Bids were opened on March 16, 2006. Southwest Traffic Signal Service, Inc. was the low bidder followed by HMS Construction, Inc.

**FISCAL CONSIDERATIONS:**

Total authorized expenditure per year, contingent on Council approving appropriations, not to exceed \$1,000,000. The City's obligation under this contract is \$50,000 per year for the duration of the contract.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

None.

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

N/A

**KEY STAKEHOLDERS AND PROJECTED IMPACTS:**

Southwest Traffic Signal Service, Inc.

Staff is not aware of any individual or organization opposed to this proposal.

Boekamp/Haas

Aud. Cert. 2600839.

Staff: Deborah Van Wanseele - (619) 533-3012  
Timothy J. Miller - Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- \* ITEM-102: Consulting Agreement with URS Corporation Americas for Long Term Disposal Capacity Project.

(See memorandum from Chris Gonaver dated 4/6/2006.)

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1027)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a sole source Agreement with URS Corporation for consulting services in connection with the City's long-term waste disposal and diversion planning, including assistance with regulatory, technical, and planning issues, under terms and conditions set forth in the Lump Sum Agreement;

Authorizing the appropriation and expenditure of an amount not to exceed \$125,000 from Refuse Disposal Enterprise Fund No. 30244, CIP-37-254.0, solely and exclusively, to provide funds for the above agreement;

Declaring that this activity is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15060(c)(3) because this activity is not a project as defined in CEQA Section 15378.

**STAFF SUPPORTING INFORMATION:**

URS Corporation is to provide consulting services to assist with regulatory, technical, and planning issues associated with certain long-term waste disposal and waste diversion options, including technical and CEQA/NEPA documents needed for processing of the City's request for a height increase at the Miramar Landfill. Other related projects/deliverables may include investigation of project feasibility of other projects, and technical studies regarding these waste disposal and waste management options.

**FISCAL CONSIDERATIONS:**

Consulting services for \$125,000 will be paid for by the Refuse Disposal Enterprise Fund. Identifying alternatives for long term waste disposal and diversion options is a necessary step in the process of extending the life of West Miramar Landfill and providing for the future of solid waste disposal capacity.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

None.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-102: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

None. There are no known groups expressing either support or opposition to this project.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

URS Corporation

Environmental Services Department, City of San Diego

US Marines at USMC Miramar

Heap/Haas

Aud. Cert. 2600896.

Staff: Lisa Wood - (858) 573-1236

Grace C. Lowenberg - Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-103: Taylor Street Slope Reconstruction.

(Old San Diego Community Area. District 2.)

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1133)

Amending the Fiscal Year 2006 Capital Improvement Program Budget by adding CIP-29-905.0, Taylor Street Slope Reconstruction;

Amending the Fiscal Year 2006 Capital Improvements Program Budget in CIP-29-905.0, Taylor Street Slope Reconstruction Project, in Fund No. 630221, Contributions from 100 Fund, by increasing the budget amount by \$1,266,848;

Authorizing the City Auditor and Comptroller to appropriate and transfer an amount not to exceed \$1,226,848 from the General Fund Unappropriated Reserve to the General Fund Allocated Reserve Fund No. 10001 and Department No. 901;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$1,226,848 from the General Fund Allocated Reserve Fund No. 10001 and Department No. 901 to Fund No. 630221, Contributions from Fund 100 for advanced funding for the design and development of the Taylor Street Slope Reconstruction Project to be reimbursed by the State of California and the Federal Emergency Management Agency;

Authorizing the expenditure of an amount not to exceed \$1,226,848 from CIP-29-905.0 Taylor Street Slope Reconstruction, solely and exclusively, for the purpose of providing funds for the design and development of the Project, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-103: (Continued)

**STAFF SUPPORTING INFORMATION:**

During the winter storms occurring between December 27, 2004 through January 11, 2005, the hillside between Taylor Street and the northeastern portion of Presidio Park became saturated causing the failure of the hillside.

The hillside failure severely damaged the access road to Presidio Park which is located on top of the hillside. The roadway has since been closed to public due to safety concerns. The City hired a consultant to conduct a geotechnical study at the site to determine the extent of the unstable hillside. The Geotechnical report prepared by Leighton and Associates, Inc., states a retaining wall will be needed to stabilize the hillside as part of the Taylor Street Slope Reconstruction. The City, through the Office of Homeland Security, filed a Request for Public Assistance with the State of California, Office of Emergency Services (OES), under the declared disaster (DR 1577) resulting from these winter storms. On October 11, 2005 the City received a Notification of Obligation and Payment from OES authorizing reimbursement of \$1,226,848 for repairs outlined in worksheet #2902 (Presidio Park). The completion of work deadline set by this disaster is August 4, 2006. However, the Park and Recreation Department will be requesting an extension from OES to March 31, 2008 to complete this work. Documentation of actual costs incurred must be submitted to the City's Office of Homeland Security as support for a request for payment from OES. Eligible costs incurred prior to the approved work completion deadline are reimbursable.

This project will stabilize the failed slope and reconstruct the damaged roadway to be re-opened to the public. This action authorizes the acceptance, appropriation and expenditures of funds for this project. Environmental issues will be addressed throughout the design of the project. Prior to authorization of construction, a full environmental review of the project will be completed and environmental issues identified by a California Environmental Quality Act (CEQA) approved document will be addressed and incorporated into the project.

**FISCAL CONSIDERATIONS:**

Eligible costs incurred up to \$1,226,848 will be reimbursed by the State of California Office of Emergency Services under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (\$920,136 from the Federal Emergency Management Agency (FEMA) and \$306,712 from the State of California). Advance funding for this purpose is available from the General Fund Unappropriated Reserve.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

None.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-103: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

This action merely authorizes the appropriation and expenditure of funding needed for the project. Full community participation and public outreach efforts will take place during design and environmental preparation and review process. On March 15, 2006, this project was presented to the Presidio Park Council and received favorable comments and feedback.

**KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):**

None.

Penera/Martinez

Aud. Cert. 2600904.

Staff: April Penera - (619) 525-8223  
Jacqueline Lindsay - Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- \* ITEM-104: Inviting Bids for the Construction of the MBC Lime Mixer Bypass and Emergency Truck Loadout Station.

(See Metropolitan Wastewater Department's May 12, 2006, Executive Summary Sheet. District 7.)

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2006-1071)

Approving the plans and specifications for construction of the Metro Biosolids Center Lime Mixer Bypass and Emergency Truck Loadout Station Project, on Work Order No. 179784;

Authorizing the Mayor, or his designee, after advertising for bids in accordance with law, to award a construction contract to the lowest responsible and reliable bidder in an amount not to exceed \$696,748, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for this expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller to transfer amounts not to exceed \$176,009, from Sewer Fund No. 41509, CIP-40-921.2, FIRP Phase 2 Connection to Copley Drive, and \$361,424, from Sewer Fund No. 41508, CIP-46-119.0, Annual Allocation-Point Loma Treatment Plant, both to Sewer Fund No. 41509, CIP-42-913.0, Annual Allocation-Metro Biosolids Center;

Authorizing the expenditure of an amount not to exceed \$963,710, from Sewer Fund No. 41509, CIP-42-913.0, Annual Allocation - Metro Biosolids Center, solely and exclusively, to provide funds for this Project and related costs, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves on advice from the administering department;

Declaring this activity is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, as the repair, maintenance, or minor alteration of existing facilities. (BID-K06114)

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-104: (Continued)

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 2/28/06, NR&C voted 4 to 0 to approve. (Councilmembers Faulconer, Atkins, Frye, and Hueso voted yea.)

**SUPPORTING INFORMATION:**

The City of San Diego's Metropolitan Wastewater Department (MWWD) operates the Metro Biosolids Center (MBC), a regional biosolids processing facility located adjacent to the City's Miramar Landfill in Kearny Mesa.

MBC thickens, digests and dewateres biosolids received from the North City Water Reclamation Plant and the Point Loma Wastewater Treatment Plant. The final biosolids cake from the dewatering process is transferred to a Biosolids Storage Facility (Area 86) which houses eight (8) storage silos and two (2) truck loading bays. Cake from the silos is sent to the two loading bays where the biosolids pass through lime mixers and are weighed in bins before being loaded onto trucks for off-site disposal. These storage, transfer, weighing and truck loading operations are core plant functions critical to MBC operations.

When one of the truck loading bays is out of service, the remaining truck loadout must be operated in excess of 18 hours per day in order to keep pace with the plant's biosolids cake production. Under these conditions, the extended operating hours leave inadequate time for necessary preventative maintenance activities or recovery from unexpected process shutdowns resulting from power outages or equipment failure. Additionally, as the landfills which receive the biosolids are open for only 9 hours per day, these extended operating hours will also result in loaded trucks needing to be stored on-site which would generate odors and increase the cost of biosolids disposal.

The modification of the existing truck loadout facility includes modifying and extending piping to provide manually operated truck loadout stations with direct feed from the silos to the trucks will allow the existing automatically operated truck loadouts to be by-passed for maintenance. Although these manually-operated emergency truck loadouts will have less capacity than the existing automatic loadouts, they will allow MBC to continue meeting process and loadout demands during the construction of the Lime Mixer Bypass project as well as during maintenance repair or upgrade work on either of the two existing truck loadout stations. The emergency truck loadout will operate only when the existing truck loadout system is not functional.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-104: (Continued)

**SUPPORTING INFORMATION:** (Continued)

The existing lime feed system was intended to be an optional process. The existing lime mixer system was intended to increase the solids level and supplement the stabilization of biosolids, which has not been needed since starting the operation in 1998. The system is currently not in use and there is no way to bypass the system. For this reason, the lime mixing equipment must always be in operation so as not to interrupt the loadout operation. Unfortunately, the lime mixing equipment has limited capacity, frequently plugs and automatically shuts down its loadout bay, reducing plant overall loadout capacity, causing cake spills and odors and creating maintenance problems.

The installation of bypass piping around each lime mixer which feeds the cake into a weigh/mix bin will increase the reliability of the existing loadout process and alleviate the associated problems. Additionally, the bypass piping is expected to result in a 33 percent increase in the existing overall loadout capacity. If MBC decides in the future to provide lime treatment, the lime storage/feed system can then be re-commissioned.

**FISCAL CONSIDERATIONS:**

This request is for \$963,710 and funding will be available in Sewer Fund 41509, CIP-42-913.0 Annual Allocation - Metro Biosolids Center for the Lime Mixer Bypass and Emergency Truck Loadout Station project, contingent upon City Council approval of the transfer in of \$176,009, from Sewer Fund 41509, CIP-40-921.2 FIRP Ph. 2 Connection to Copley Dr. and \$361,424, from Sewer Fund 41508, CIP-46-119.0 Annual Allocation-Point Loma Treatment Plant.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

None.

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

This project was reviewed by the Metro Participating Agencies at the Metro TAC meeting of May 17, 2006 and will be reviewed by the Metro Commission on June 1, 2006.

**KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):**

Not applicable.

Ferrier

Aud. Cert. 2600859.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- \* ITEM-105: Inviting Bids for the General Requirements Contract 2006M – Mechanical Systems Contract.

(See Environmental Services Department Executive Summary regarding General Requirements Contract (GRC) 2006M – Mechanical Systems Contract.)

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2006-735)

Authorizing the Mayor, after advertising for bids, to award to the lowest responsible and reliable bidder a General Requirements Contract - Mechanical Systems for the Environmental Services Department, for a minimum of \$50,000 and not to exceed \$1,000,000 for one year, with an option for the Mayor to extend the contract for up to one additional year and up to an additional \$1,000,000; provided that the City Auditor and Comptroller furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the expenditure of an amount not to exceed \$2,000,000 from Fund No. 30250, Energy Upgrades California Energy Commission Loan Fund, solely and exclusively, to provide funds for the above contract, of which \$1,000,000 is contingent on the exercise of the one-year extension to the contract and provided that the City Auditor and Comptroller furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, on advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Declaring this activity is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15060(c)(2) because this activity will not result in a direct or reasonably foreseeable indirect physical change in the environment. (BID-ESD-2006-002)

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 6/28/2006, NR&C voted 4 to 0 to approve the resolution. (Councilmembers Faulconer, Atkins, Frye, and Hueso voted yea.)

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-105: (Continued)

**SUPPORTING INFORMATION:**

During the last nine years, the City has entered into GRCs, formerly referred to as Job Order Contracts (JOC), with various contractors. The main objective of the GRC is to execute emergency, maintenance, repair, and general engineering construction projects.

Environmental Services Department (ESD) proposes to issue two GRC contracts: Electrical Systems and Mechanical Systems. The City (within MWWDD) has previously issued five of these types of GRC contracts: General Engineering, Mechanical Systems, Electrical Systems, Building Improvements, and Landscape Maintenance. The work is assigned to one of the contracts based upon the type of work and the location of the work. This action is for approval to advertise and award General Requirements Contract 2006M - Mechanical Systems, in an amount not to exceed \$1,000,000 for one (1) year with an option to extend the contract for up to an additional \$1,000,000 and up to one (1) additional year.

Each GRC is competitively procured. The contractor bids a factor, or multiplier, which is applied to all of the prices in a unit price book, which is part of the contract documents. The contractor with the lowest factor and a responsive, responsible bid is awarded the contract. The City is under no obligation to pay the contractor any more than a \$50,000 minimum contract obligation. Therefore, the contractor has an incentive to deliver quality work in a timely fashion in order to obtain additional work. Further, the Department Director may use performance and adherence to the contract as criteria to extend the contract for up to an additional year and up to an additional \$1 million dollars.

The specific tasks to be executed under this contract have not been identified. All tasks are executed in accordance with the California "Subletting and Subcontracting Fair Practices Act" (Public Contract Code Section 4100 ET SEQ). Under this contracting system, a contractor that conducts or participates in bid shopping or bid peddling shall not receive any additional tasks under this contract and such conduct shall be grounds for default by the City. This GRC will enable ESD to achieve its objective of rapidly engaging contractors for energy efficiency work while lowering costs.

**FISCAL CONSIDERATIONS:**

Funds in the amount of \$1,000,000 for this contract will be financed through Energy Conservation Assistance Loans from the California Energy Commission (CEC). Should the contract be extended, funds for up to an additional \$1,000,000 will also be financed through the CEC.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-105: (Continued)

**SUPPORTING INFORMATION:** (Continued)

Use of GRCs allows projects to be completed much more quickly. If all the energy projects funded by a CEC loan are completed within 12 months, the City is subject to a lower interest rate.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

NR&C Committee is scheduled to hear this item on June 28, 2006.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The contracts will be advertised to attract the widest eligible response.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Energy efficiency improvement projects in City-owned facilities result in lower energy consumption and lower energy costs to taxpayers.

Blair/Haas

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- \* ITEM-106: Inviting Bids for the General Requirements Contract 2006E – Electrical Systems Contract.

(See Environmental Services Department's Executive Summary regarding General Requirements Contract (GRC) 2006E – Electrical Systems Contract.)

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2006-736)

Authorizing the Mayor, after advertising for bids, to award to the lowest responsible and reliable bidder a General Requirements Contract - Electrical Systems for the Environmental Services Department, for a minimum of \$50,000 and not to exceed \$1,000,000 for one year, with an option for the Mayor to extend the contract for up to one additional year and up to an additional \$1,000,000; provided that the City Auditor and Comptroller furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the expenditure of an amount not to exceed \$2,000,000 from Fund No. 30250, Energy Upgrades California Energy Commission Loan Fund, solely and exclusively, to provide funds for the above contract, of which \$1,000,000 is contingent on the exercise of the one-year extension to the contract and provided that the City Auditor and Comptroller furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, on advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Declaring this activity is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15060(c)(2) because this activity will not result in a direct or reasonably foreseeable indirect physical change in the environment. (BID-ESD-2006-001)

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 6/28/2006, NR&C voted 4 to 0 to approve. (Councilmembers Faulconer, Atkins, Frye, and Hueso voted yea.)

**SUPPORTING INFORMATION:**

During the last nine years, the City has entered into GRCs, formerly referred to as Job Order Contracts (JOC), with various contractors. The main objective of the GRC is to execute emergency, maintenance, repair, and general engineering construction projects.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-106: (Continued)

**SUPPORTING INFORMATION:** (Continued)

Environmental Services Department (ESD) proposes to issue two GRC contracts: Electrical Systems and Mechanical Systems. The City (within MWWD) has previously issued five of these types of GRC contracts: General Engineering, Mechanical Systems, Electrical Systems, Building Improvements, and Landscape Maintenance. The work is assigned to one of the contracts based upon the type of work and the location of the work. This action is for approval to advertise and award General Requirements Contract 2006E - Electrical Systems, in an amount not to exceed \$1,000,000 for one (1) year with an option to extend the contract for up to an additional \$1,000,000 and up to one (1) additional year.

Each GRC is competitively procured. The contractor bids a factor, or multiplier, which is applied to all of the prices in a unit price book, which is part of the contract documents. The contractor with the lowest factor and a responsive, responsible bid is awarded the contract. The City is under no obligation to pay the contractor any more than a \$50,000 minimum contract obligation. Therefore, the contractor has an incentive to deliver quality work in a timely fashion in order to obtain additional work. Further, the Department Director may use performance and adherence to the contract as criteria to extend the contract for up to an additional year and up to an additional \$1 million dollars.

The specific tasks to be executed under this contract have not been identified. All tasks are executed in accordance with the California "Subletting and Subcontracting Fair Practices Act" (Public Contract Code Section 4100 ET SEQ). Under this contracting system, a contractor that conducts or participates in bid shopping or bid peddling shall not receive any additional tasks under this contract and such conduct shall be grounds for default by the City. This GRC will enable ESD to achieve its objective of rapidly engaging contractors for energy efficiency work while lowering costs.

**FISCAL CONSIDERATIONS:**

Funds in the amount of \$1,000,000 for this contract will be financed through Energy Conservation Assistance Loans from the California Energy Commission (CEC). Should the contract be extended, funds for up to an additional \$1,000,000 will also be financed through the CEC.

Use of GRCs allows projects to be completed much more quickly. If all the energy projects funded by a CEC loan are completed within 12 months, the City is subject to a lower interest rate.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-106: (Continued)

**SUPPORTING INFORMATION:** (Continued)

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

NR&C Committee is scheduled to hear this item on June 28, 2006.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The contracts will be advertised to attract the widest eligible response.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Energy efficiency improvement projects in City-owned facilities result in lower energy consumption and lower energy costs to taxpayers.

Blair/Haas

Staff: Tom Blair – (858) 492-6001  
Thomas C. Zeleny – Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- \* ITEM-107: Drainage Easement Vacation in Lot 3 of Vista Terrace Hills, Unit No. 2, Map No. 668.

(San Ysidro Community Area. District 8.)

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1080 Cor. Copy)

Vacating the portion of drainage easement located within Lot 3 of Vista Terrace Hills Map No. 6668, as more particularly described in the legal description marked as Exhibit "A", and as shown on Drawing No. 20471-B, marked as Exhibit "B", to unencumber his property and facilitate development of the site under the summary vacation of public service easements, California Streets and Highways Code Section 8333(c);

Declaring the City Clerk shall cause a certified copy of this resolution, with exhibits, attested by her under seal, to be recorded in the Office of the County Recorder;

Declaring this activity is exempt from CEQA pursuant to State CEQA Guidelines Section 15060(c)(2).

**STAFF SUPPORTING INFORMATION:**

This project is located in the San Ysidro Community Plan area northwesterly of Beyer Boulevard and Del Sur Boulevard. It consists of vacating a portion of an existing 15-foot easement granted at no cost to the City. The existing easement has been superseded by a new 30-foot easement as shown on Engineering Drawing 20198-B. The easement to be vacated contains a 24" RCP that formerly conveyed flows from public streets and private property. As a result of a new 24" RCP within the Beyer Residential Courts project, the pipe currently within the existing easement only serves as an area drain for flows from the Vista Terrace Hills project and is therefore considered a private drainage facility. Vista Terrace Hills Preservation, L.P. will now assure maintenance responsibility for the pipe. This drainage easement vacation is required by the City as a condition of final approval of Engineering Permit No. W-52136 (W.O. No. 422603 Dwg. 33029-D) as there are no longer any public drainage facilities within the old easement. There is no present or prospective public use of the existing easement in its present location that can be anticipated.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-107: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

FISCAL CONSIDERATIONS:

There are no fiscal impacts in connection with this action. All costs are being paid by the applicant.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

N/A

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The Community Planning Group approved this request on February 23, 2006.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Vista Terrace Hills Preservation, L.P., a California Limited Partnership

Halbert/Waring

Staff: G. Bollenbach - (619) 446-5417  
David Miller - Deputy City Attorney

**NOTE:** This item is not subject to Mayor's veto.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-108: Water Easement Vacation in a Portion of Parcel 1 of Parcel Map 14519.

(Linda Vista Community Area. District 6.)

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-994)

Vacating the water easement located within a portion of Parcel 1 of Parcel Map 14519, as more particularly described in the legal description marked as Exhibit "A", and as shown on Drawing No. 20417-B, marked as Exhibit "B," to unencumber his property and facilitate development of the site under the summary vacation of public service easements, California Streets and Highways Code Section 8333(c);

Declaring the City Clerk shall cause a certified copy of this resolution, with exhibits, attested by her under seal, to be recorded in the Office of the County Recorder;

Declaring this action is exempt from CEQA pursuant to State CEQA Guidelines Section 15060(c)(2).

**STAFF SUPPORTING INFORMATION:**

The University of San Diego, in connection with the construction of new student housing, is relocating a portion of the water line near the intersection of Linda Vista Road and Via Las Cumbres. This water line is in an easement granted to the City on Parcel Map No. 14519 over five years ago at no cost to the City. The water easement being vacated is shown on Engineering Drawing No. 20417-B. This easement has been superseded by a new water easement of approximately equal value which was granted to the City by separate document on December 16, 2005 per Document No. 2005-1080924 as shown on Engineering Drawing No. 20416-B. There is no present or anticipated future use for the easement that is being vacated.

**FISCAL CONSIDERATIONS:**

There are no fiscal impacts in connection with this action. All costs are being paid by the applicant.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

N/A

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-108: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

The Community Planning group has no objection to this action.

**KEY STAKEHOLDERS:**

The University of San Diego

Halbert/Waring

Staff: G. Bollenbach - (619) 446-5417

David Miller - Deputy City Attorney

**NOTE:** This item is not subject to Mayor's veto.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- \* ITEM-109: Regional Interoperable Communications Development Grant Funded Expenditures.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1120)

Authorizing the City Auditor and Comptroller, the Mayor (or his designee), and the Chief of Police, for and on behalf of the City of San Diego, to enter into and manage this expenditure of grant funds from the U.S. Department of Justice;

Authorizing the City Auditor and Comptroller, the Mayor (or his designee), and the Chief of Police, to execute all aspects of program operation, including any amendments, extensions, or renewals, for a period of up to five years, provided funding is made available by the U.S. Department of Justice, and to certify that the City will comply with all applicable statutory or regulatory requirements related to said program;

Declaring any resources received and/or expended hereunder shall be used to supplement, and not to supplant, expenditures controlled by this body.

**STAFF SUPPORTING INFORMATION:**

On April 11, 2005, in Resolution R-300311, Council authorized City to accept and expend a federal grant of \$6 million for the development of a far-southwest region interoperable Command and Control Communications system (3Cs). Key participants are the City of San Diego Police and Fire Departments, IT&C; and the San Diego Sheriffs Department (representing the County Regional Communication System and other participating county agencies).

This system will improve public safety by adding capacity and linking area emergency services in an integrated, interoperable microwave communication network, establishing reliable and secure transport of high speed and high capacity voice and data communications during critical incidents.

City wishes to engage "Harris Corporation" to provide microwave equipment which serves as the infrastructure for this enhanced communication system, in an amount based on actual documented services/products provided, but not to exceed Five Million Dollars (\$5,000,000).

This vendor was selected by competitive bid processes conducted by City Communications (IT&C). Expenditure documentation is attached.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-109: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

FISCAL CONSIDERATIONS:

All costs of this expenditure are grant funded. No City funds are required. There is no requirement to continue grant-funded activities, expenditures or programs after grant funds are depleted or terminated. Federal law requires that these funds supplement and not supplant funds otherwise available to law enforcement.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

N/A

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

N/A

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Harris Corporation

Lansdowne/Ollen

Staff: Dan Newland - (619) 531-2926

Melissa Summerhays - Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-110: Fiscal Year 2007 Office of Traffic Safety Grant Program.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1070)

Authorizing the Mayor, or his representative, to apply to the Office of Traffic Safety (OTS) for various traffic safety and education programs for the period from October 1, 2006 to September 30, 2008;

Authorizing the Mayor, or his representative, to take all necessary actions to secure funding from OTS for various traffic safety and education programs;

Authorizing the City Auditor and Comptroller to establish a special interest-bearing fund for the OTS grant funds;

Authorizing the Mayor, or his representative, to accept, appropriate and expend an amount not to exceed \$3,669,263 for the purpose of the aforementioned programs, contingent upon receipt of a fully executed grant agreement and the City Auditor and Comptroller certifying that the necessary funds are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller to increase the FY 2007 Capital Improvements Program Budget, OTS grant funds, by \$3,669,263 as follows:

- a. \$1,108,307 in CIP-68-017.0, School Traffic Safety Improvements, for the purpose of developing a route to school plan,
- b. \$813,602 in CIP-68-011.0, Traffic Signals-Modifications/Modernization, for the purpose of installing countdown signals,
- c. \$241,602 in CIP-61-001.0, Traffic Control/Calming Measures, for the purchase of driver feedback signs,
- d. \$1,505,752 in CIP-58-167.0, Bicycle Safety and Commuting Education Program, for the purpose of developing an interactive mapping function citywide for routes and a comprehensive program to educate teenagers the importance of seat belt use.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-110: (Continued)

Authorizing the City Auditor and Comptroller, upon the advice of the administering department, to return excess budgeted funds, if any, to the appropriate reserves;

Declaring this activity is not a "project" and is therefore exempt from CEQA pursuant to State CEQA Guidelines Section 15060(c)(2).

**STAFF SUPPORTING INFORMATION:**

Each year, OTS requests proposals addressing traffic safety problems from all interested and eligible agencies. OTS provides funding for injury prevention programs focusing on child passenger safety and pedestrian and bicycle safety. Among its funded programs are child safety seat fitting stations and pedestrian and bicycle safety rodeos. The proposed projects are listed below:

A Route to School Plan for all schools within the City. An assessment will be conducted for each school to identify deficiencies and enhancements, including cost estimates that would increase the safety of school pedestrians and bicyclists along the planned routes.

Purchase pedestrian countdown signals to be installed at 200 intersections throughout the city in order to improve pedestrian safety.

Purchase Driver Feedback signs for 16 locations throughout the City of San Diego.

Continuation (second phase) to the Traffic Safety Education Program to develop an interactive mapping function citywide for routes that will provide layers of information to enhance bike education.

"Wear it for Life" comprehensive program to educate teenagers on the importance of seat belt use.

The grant funds requested with this action will be appropriated from the Office of Traffic Safety, which is state funded. This grant will provide a two year funded program for each proposed project.

**FISCAL CONSIDERATIONS:**

This action would increase Fiscal Year 2007 Capital Improvement Program Budget by an amount not to exceed \$3,669,263.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-110: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

PREVIOUS COUNCIL COMMITTEE ACTION:

Resolution Number R-301024, dated November 14, 2005 authorized \$784,766 of OTS funds for a bicycle and pedestrian safety education program.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Recommendation from the City of San Diego Schools to fund an assessment for planned safe routes to schools that will identify deficiencies and enhancements for student safety when approaching to schools within city public rights-of-way along the school site frontages and intersections around the perimeter of the school site. Safe Moves and the San Diego City Schools recommend the continuation of the Traffic Safety Education Program for City Schools. This program has been well received by school site communities and has benefited many of the elementary aged students. Supported groups included: Children's Hospital and Health Center, Safe Moves, San Diego County Bicycle Coalition, San Diego Police Department, and San Diego Unified School District.

KEY STAKEHOLDERS:

Children's Hospital and Health Center  
Safe Moves  
San Diego County Bicycle Coalition  
San Diego Police Department  
San Diego Unified School District

Boekamp/Haas

Staff: Larry Van Way - (619) 533-3005  
Jeremy A. Jung - Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- \* ITEM-111: Cuvier Street 20SD Conversion - Easement Grant to San Diego Gas & Electric (SDG&E).

(La Jolla Community Area. District 1.)

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1101)

Authorizing the Mayor, or his designee, to execute for and on behalf of the City of San Diego, a deed conveying to San Diego Gas & Electric Company, a corporation, an easement for the purpose of constructing, repairing, maintaining and using underground facilities and appurtenances for the transmission of electricity, affecting a portion of Lot 3 in Block 1 of F.T. Scripps Addition to La Jolla Park, according to Map thereof No. 897, filed in the Office of the County Recorder of said County of San Diego.

**STAFF SUPPORTING INFORMATION:**

As part of the City's utility undergrounding program, (Council Policy 600-08), existing aboveground utility facilities will be relocated underground. In order to accomplish the relocation, San Diego Gas & Electric Company (SDG&E) has requested an easement for a pad-mounted transformer, which is necessary for the conversion. The easement will provide the necessary rights for SDG&E to relocate as requested by the City's undergrounding program. The total area of the easement is approximately 35 square feet. The easement has been valued by City valuation staff to be worth \$2,600. Since this project is a California Public Utilities Code 20SD conversion, the cost of which is paid by the City, no compensation is requested for this easement.

**FISCAL CONSIDERATIONS:**

A processing fee of \$1,590 was deposited into Fund 100 from CIP 30244, Job Order No. 370290.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

This area has been declared by Council Resolution as part of an Underground Utility District.

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

N/A

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-111: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

**KEY STAKEHOLDERS & PROJECTED IMPACTS:**

Conversion of overhead facilities to underground facilities benefits the public health, safety or general welfare.

Boyle/Waring

Staff: Steve Geitz - (619) 236-6311  
Brock Ladewig - Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-112: Northwest Police Substation – Easement Grant to San Diego Gas & Electric (SDG&E).

(Carmel Valley Community Area. District 1.)

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1102)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City of San Diego, a deed conveying to San Diego Gas & Electric Company, a corporation, an easement for the purpose of constructing, reconstructing, replacing, repairing, maintaining and using retaining walls and/or protective barriers to protect its facilities upon or adjacent to Lot 18 of Employment Center Development Unit No. 2B, according to Map thereof No. 10945, filed May 21, 1984, in the Office of the County Recorder of San Diego County, as more particularly described in said deed.

**STAFF SUPPORTING INFORMATION:**

As a result of the new Northwest Police Substation project, SDG&E is required to relocate its existing facilities. The facilities will be within the Public Right of Way, however, a retaining wall necessary for protecting the facilities will be located on a portion of City parcel APN: 307-010-24. The easement consists of approximately 48 square feet and will be at the eastern edge of the parcel on El Camino Real street frontage.

**FISCAL CONSIDERATIONS:**

A processing fee of \$1,590 was received by the contractor and deposited into Fund 100. Because this is a City-initiated relocation, SDG&E will not be charged for this easement.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

N/A

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

N/A

**KEY STAKEHOLDERS & PROJECTED IMPACTS:**

SDG&E

Boyle/Waring

Staff: Steve Geitz - (619) 236-6311  
Brock Ladewig - Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- \* ITEM-113: Corridor Park 20A Conversion – Easement Grant to San Diego Gas & Electric (SDG&E).

(Southcrest Community Area. District 4.)

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1064)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City of San Diego, a deed conveying to SDG&E, a corporation, an easement for the purpose of constructing, repairing, maintaining and using underground facilities and appurtenances for the transmission and distribution of electricity affecting a portion of Parcel 1 of Parcel Map No. 19092, filed in the Office of the County Recorder of said County of San Diego, as more particularly described in said deed;

Authorizing and directing the City Clerk to cause the certificate of acceptance and a certified copy of this resolution, attested by her under seal, to be recorded in the Office of the County Recorder at no fee for the benefit of the City, with no documentary tax due.

**STAFF SUPPORTING INFORMATION:**

As part of the City's utility undergrounding program (Council Policy 600-08), existing aboveground utility facilities will be relocated underground. In order to accomplish the relocation, San Diego Gas & Electric Company (SDG&E) has requested an easement for three transformers which are necessary for the conversion. The easement will provide the necessary rights for SDG&E to relocate as requested by the City's undergrounding program. The total area of the easement is approximately .112 acres. The easement has been valued by City valuation staff to be worth \$30,494. Since this project is a California Public Utilities Code (PUC) 20A conversion, it will be paid for out of PUC 20A funds, funded in part by the City, therefore no compensation for this easement will be requested.

**FISCAL CONSIDERATIONS:**

A processing fee of \$1,590 was deposited into Fund 100 from CIP Fund 30244, Job Order No. 373033.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

This area has been declared by Council Resolution as part of an Underground Utility District.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-113: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

Not applicable.

**KEY STAKEHOLDERS & PROJECTED IMPACTS:**

Conversion of overhead facilities to underground facilities benefits the public health, safety or general welfare. SDG&E is a key stakeholder.

Boyle/Waring

Staff: Steve Geitz - (619) 236-6311  
Brock Ladewig - Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- \* ITEM-114: Excusing Council President Pro Tem Young from Attending the City Council Meeting of June 20, 2006.

**COUNCILMEMBER PRO TEM YOUNG'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1129)

Excusing Council President Pro Tem Tony Young from attending the regularly scheduled City Council meeting of June 20, 2006, due to dental surgery.

**NOTE:** This item is not subject to Mayor's veto.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- \* ITEM-115: Excusing Councilmember Madaffer from Attending the City Council and Closed Session Meetings on July 10 & 11, 2006.

**COUNCILMEMBER MADAFFER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1088)

Excusing Councilmember Jim Madaffer from attending the regularly scheduled City Council and Closed Session meetings on July 10 & 11, 2006.

**NOTE:** This item is not subject to Mayor's veto.

- \* ITEM-116: Excusing Councilmember Madaffer from Attending the Rules, Open Government, and Intergovernmental Relations Committee Meeting of July 12, 2006.

**COUNCILMEMBER MADAFFER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1089)

Excusing Councilmember Jim Madaffer from attending the regularly scheduled Rules, Open Government, and Intergovernmental Relations Committee meeting of July 12, 2006.

**NOTE:** This item is not subject to Mayor's veto.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-117: Interfaith Shelter Network Day.

**COUNCIL PRESIDENT PETERS' RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1095)

Proclaiming May 19, 2006, to be "Interfaith Shelter Network Day" in San Diego in honor of the Interfaith Shelter Network's 20 years of leadership and service to the homeless community.

\* ITEM-118: Uptown Sunrise Rotary 5<sup>th</sup> Anniversary Day.

**COUNCILMEMBER ATKINS' RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1124)

Congratulating Uptown Sunrise Rotary for its five years of service to the City of San Diego and its stewardship of humanitarian projects both locally and internationally;

Proclaiming June 26, 2006, to be "Uptown Sunrise Rotary 5<sup>th</sup> Anniversary Day" in the City of San Diego.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- \* ITEM-119: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District 8.)

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2006-1030)

Declaring a Continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

- \* ITEM-120: Declaring a Continued State of Emergency Due to Severe Shortage of Affordable Housing in the City.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2006-929)

Declaring a Continued State of Emergency Due to Severe Shortage of Affordable Housing in the City of San Diego.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-330: **NOTE: This item was moved to the Docket of Monday, July 10, 2006, Item 201. There is no Item 330 on today's agenda.**

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-331: **NOTE: This item was moved to the Docket of Monday, July 10, 2006, Item 202. There is no Item 331 on today's agenda.**

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

**The following Item 332 may be heard after the consent agenda in the morning.**

ITEM-332: Approval of the Initiation of Certain Amendments to the City of San Diego Progress Guide and General Plan, the Southeastern San Diego Community Plan, the Skyline-Paradise Hills Community Plan, and the Southeastern San Diego Planned District Ordinance.

(See Southeastern Economic Development Corporation Report No. 06-007.  
Southeastern San Diego Community Area. District 4.)

**SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S  
RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1128)

Re-designating land uses and density for a number of properties along Imperial Avenue, as identified in the SEDC Imperial Avenue Corridor Master Plan;

Increasing maximum multifamily residential density from 30 to 74 dwelling units per acre within the Central Imperial Redevelopment Project Area;

Designating SEDC as the responsible party for design review for projects within the Central Imperial Redevelopment Project Area;

Adding a mixed-use land use designation within the Central Imperial Redevelopment Project Area;

Including the SEDC Multi-family Development Guidelines as part of Residential Design Review and Development Regulations;

Incorporating Smart Growth principals into the goals and objectives of the Residential, Transportation, and Urban Design elements of the community plans.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-332: (Continued)

**SUPPORTING INFORMATION:**

The community of Southeastern San Diego has benefited from years of strategic growth that enhanced single-family detached developments, encouraged homeownership and in many instances employed the strategy of utilizing passed-over sites which with redevelopment have become very productive developments.

As the city's housing shortage continues, the needs are out pacing the supply and therefore we must expand the housing options. This expansion requires an increase in the densities along the major corridors and adjacent to transportation centers. This includes the Imperial Avenue Corridor Master Plan area, Euclid Avenue and Market Street.

SEDC is preparing a Program Environmental Impact Report for the Central Imperial Redevelopment Project Area which will provide a comprehensive review of the potential impacts of all the projects that may be developed under the amended land use designations.

**DISCUSSION:**

The community plan initiate process allows the process of analysis of the various developments to begin. Once initiated, changes within the Central Imperial Redevelopment Project Area will be considered to: re-designate land uses; increase maximum multi-family residential density; designate SEDC as the responsible party for design review; add a mixed-use land use designation; include the SEDC Multi-family Development Guidelines as part of Residential Design Review and Development Regulations; and incorporate Smart Growth principles into the goals and objectives of the Residential, Transportation, and Urban Design elements of the Southeastern San Diego Community Plan.

**ALTERNATIVE:**

Do not approve the initiation of certain amendments and rezones to and prevent an opportunity to provide significant and varied housing opportunities as well as developments which will assist in the revitalization of the surrounding community.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

On November 30, 2005, at the request of Council President Pro Tem Anthony Young, SEDC presented the Imperial Avenue Corridor Master Plan to the City Council's Land Use and Housing Committee as an informational item.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-332: (Continued)

**SUPPORTING INFORMATION:** (Continued)

On November 16, 2005, the SEDC Board of Directors approved the recommendation to the City Council for approval of the Initiation of Certain Amendments and Rezones to the City of San Diego Progress Guide and General Plan, the Southeastern San Diego Community Plan, the Skyline-Paradise Hills Community Plan, and the Southeastern San Diego Planned District Ordinance.

On July 27, 2004, the City Council approved a resolution initiating two community plan amendments to allow for the development of a mixed-use project in the Encanto Neighborhood Area and a residential project in the Chollas View Neighborhood Area of the Southeastern Community Planning Area.

**COMMUNITY PARTICIPATION & PUBLIC OUTREACH EFFORTS:**

Numerous public meetings and community workshops have been held, see full report for details.

Smith

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

**The following items will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-333: Clean Syringe Exchange Program.

(See Report to the City Council No. 06-088. East Village and North Park Community Areas. Districts 2 and 3.)

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-599)

Declaring that pursuant to California Health and Safety Code Sections 121349 through 121349.3, the Clean Syringe Exchange Program, in consultation with the California Department of Health Services, involving the exchange of clean hypodermic needles and syringes, as recommended by the United States Secretary of Health and Human Services, as part of a network of comprehensive services to combat the spread of HIV and blood-borne hepatitis infection among injection drug users, is hereby authorized in the City of San Diego, at no cost to the City;

Approving and adopting the Basic Recommendations and Supplemental Recommendations set forth in the Facilitation Committee's Final Report, Report No. \_\_\_\_\_;

Authorizing the Mayor, or his designee, to enter into agreements, and any amendments thereto, for the continued operation of the Clean Syringe Exchange Program in the City of San Diego, at no cost to the City;

Declaring that within one year of the final passage date of this Resolution, and annually thereafter, an open meeting of the City Council shall be held, at which the Health Officer for the City of San Diego (or other qualified person appointed by the Mayor), at no cost to the City, shall present a report detailing the status of syringe exchange programs, including, but not limited to, relevant statistics on blood-borne infections associated with needle sharing activity Local government, local public health officials, law enforcement, administrators of alcohol and drug treatment programs, other stakeholders, and the public shall be afforded ample opportunity to comment on syringe exchange programs at this annual meeting.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

## RESOLUTIONS: (Continued)

ITEM-333: (Continued)

**STAFF SUPPORTING INFORMATION:**

On November 27, 2001, the City Council adopted Resolution No. R-295797, declaring the existence of a state of local emergency in the City of San Diego, due to the spread of the Hepatitis C Virus and Human Immunodeficiency Virus (HIV), exacerbated by the shared use of hypodermic needles and syringes by injection drug users. In addition, the City Council authorized the implementation of a one-year Clean Needle and Syringe Exchange Pilot Program (Pilot Program) linked to drug abuse treatment programs, at no cost to the City.

From December 10, 2001 to June 27, 2005, the City Council repeatedly declared the above-mentioned state of local emergency, and authorized the continued operation of the Pilot Program. However, from July 18 through December 31, 2005, the City Council was unable to garner five votes to authorize the Pilot Program.

Recently, the California Legislature amended Health and Safety Code Section 11364.7 and enacted Health and Safety Code Sections 121349 through 121349.3 (effective January 1, 2006). As a result of this legislation, local jurisdictions are no longer required to declare a state of local emergency as a prerequisite to authorizing a Clean Syringe Exchange Program (Program). Instead, a local jurisdiction can authorize the Program with a single legislative act, allowing the Program to continue unless and until the local jurisdiction decides to terminate the Program.

This action authorizes a Clean Syringe Exchange Program in the City of San Diego, to be operated in accordance with the Basic Recommendations and Supplemental Recommendations set forth in the Facilitation Committee's Final Report, dated May 23, 2006. The Project will be funded by the Alliance Healthcare Foundation, and operated by Family Health Centers of San Diego, a non-profit organization. Community Services Division will bring forth an ordinance regarding the Program for City Council adoption later this calendar year.

**FISCAL CONSIDERATIONS:**

There will be no fiscal impact to the City. Alliance Healthcare Foundation will bear the cost of implementing the Clean Syringe Exchange Program.

**PREVIOUS COUNCIL COMMITTEE ACTION:**

Clean Needle and Syringe Exchange Pilot Program, adopted November 27, 2001 (R-295797).

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-333: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

Local government, local public health officials, law enforcement, administrators of alcohol and drug treatment programs, other stakeholders, and the public shall be afforded ample opportunity to comment on syringe exchange programs at an open meeting of the City Council to be held within one year of the final passage date of the Resolution, and annually thereafter.

**KEY STAKEHOLDERS:**

Alliance Healthcare Foundation; Family Health Centers of San Diego; Clean Syringe Exchange Program Facilitation Committee.

Linares/Martinez

Staff: Ernie Linares - (619) 236-6719  
Michael D. Neumeyer - Deputy City Attorney

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

**The following items will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-334: In the Matter of City of San Diego v. Chapin (GIC 863096).

(See letter from City Attorney Aguirre dated 6/28/2006 and letter from Steven M. Strauss dated 4/11/2006.)

**COUNCIL PRESIDENT PETERS' RECOMMENDATION:**

Take the following actions:

- 1) Consideration and discussion of the April 11, 2006 request by Steven Strauss that the City indemnify and defend Ms. Loraine Chapin in the above-named case pursuant to California Government Code Section 995 et seq.;
- 2) Directing the City Attorney to prepare a resolution consistent with the Council's direction in item (1) above.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

**The following items will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-335: Two actions related to Cherokee Point Elementary/Ibarra Elementary Sewer Easements Vacation and Street Dedications.

Matter of approving, conditionally approving, modifying or denying a vacation of sewer and drainage easements, and street dedications within the Mid-Cities Community Plan area.

(Mid-Cities Community Planning Area. Districts 3 and 7.)

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2006-954)

Adoption of a resolution vacating the sewer and drainage easements granted to the City of San Diego as described and shown in exhibit "A" on file in the Office of the City Clerk, which are by reference incorporated herein and made part hereof, is ordered vacated;

That the dedication of City Property for public use as described and shown in exhibit "A," on file in the Office of the City Clerk, which are by reference incorporated herein and made part hereof, is approved;

That the City Clerk shall cause a certified copy of this resolution, with attached exhibits attested by her under seal, to be recorded in the Office of the County Recorder;

That this activity is adequately addressed under Central Area (Cherokee) Elementary School EIR SCH #1999091102 certified by Board of Education June 12, 2001 and Winona (Ibarra) Avenue Elementary School Environmental Impact Report SCH # 1999081146 certified by Board of Education on November 27, 2001 and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. Because the prior environmental documents adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of CEQA review per CEQA Guidelines Sections 15060(c)(3) and 15378(c).

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-335: (Continued)

Subitem-B: (R-2006-953)

Adoption of a resolution vacating the sewer and easements granted to the City of San Diego as described and shown in exhibit "A" on file in the Office of the City Clerk, which are by reference incorporated herein and made part hereof, is ordered vacated;

That the City Clerk shall cause a certified copy of this resolution, with attached exhibits attested by her under seal, to be recorded in the Office of the County Recorder;

That this activity is adequately addressed under Central Area (Cherokee) Elementary School EIR SCH #1999091102 certified by Board of Education on June 12, 2001 and Winona (Ibarra) Avenue Elementary School Environmental Impact Report SCH # 1999081146 certified by Board of Education on November 27, 2001 and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. Because the prior environmental documents adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of CEQA review per CEQA Guidelines Sections 15060(c)(3) and 15378(c).

**STAFF SUPPORTING INFORMATION:**

The San Diego School District is administering Proposition MM, a 1998 bond initiative passed by the electorate to construct 13 new schools, redevelop three existing school sites, and modernize, and upgrade the existing school site inventory. The Prop MM school sites require parcel consolidation and the vacation of existing public rights-of-way (streets and alleys) to create the new school sites.

The School District is processing both discretionary and ministerial actions to comply with City of San Diego standards related to Right-of-Way vacations and public improvements respectively. The public improvements typically include curb, gutter and sidewalks. These ministerial public improvement actions and discretionary right-of-way (ROW) vacations are being processed concurrently to allow the School District to maintain the Prop MM construction schedule and facilitate various school opening dates.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-335: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

Cherokee Point Elementary - Cherokee Elementary School is a new school to be located north of Landis Street and south of Wightman Street, east of 38<sup>th</sup> Street and west of the alley between 40<sup>th</sup> and 39<sup>th</sup> Streets. The easements to be vacated are located within the school footprint and would allow for construction of the school as part of the Prop MM Program. The City has determined that these easements are no longer needed. The street dedications are needed to allow for the proper design of two proposed cul-de-sacs.

Ibarra Elementary - Ibarra Elementary School is a new school to be located north of Polk Avenue and south of Orange Avenue, east of Estrella Avenue and west of Winona Avenue. The easements to be vacated are located within the school footprint and would allow for construction of the school as part of the Prop MM Program. The City has determined that these easements are no longer needed.

**FISCAL CONSIDERATIONS:**

No cost to the City. A deposit has been collected from the applicant to cover the costs associated with processing the proposed projects.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

Right-of-Way vacations associated with these schools were approved by the City Council on August 2, 2005.

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

On May 6, 2005, the City Heights Area Planning Committee voted 10-3-2 in favor of the Cherokee Elementary Easement Vacations. On May 6, 2005 City Heights Area Planning Committee voted 10-1-1 in favor of the Ibarra Elementary Easement Vacations.

**KEY STAKEHOLDERS & PROJECTED IMPACTS:**

San Diego City School District

Halbert/Waring/MD

Staff: Morris E. Dye – (619) 446-5201  
David Miller– Deputy City Attorney

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

**The following items will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-336: Three actions related to Disposition and Development Agreement and Associated Actions for La Entrada Family Housing Project.

(See Redevelopment Agency Report RA-06-27/RTC-06-065 and memorandum from Carol A. Leone dated 6/22/2006. Barrio Logan Community Area. District 8.)

(Continued from the meeting of June 27, 2006, Item 336, at the request of Councilmember Hueso, for further review.)

**NOTE:** Hearing open. No testimony taken on 6/27/2006.

**REDEVELOPMENT AGENCY'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2006-1066)

Certifying that the information contained in Mitigated Negative Declaration No. 93861 has been completed in compliance with the California Environmental Quality Act and State CEQA Guidelines, and that said report reflects the independent judgment of the City of San Diego as Lead Agency;

Stating for the record that the Mitigated Negative Declaration has been reviewed and considered prior to approving the project and Disposition and Development Agreement;

Adopting the Mitigation, Monitoring and Reporting Program.

Subitem-B: (R-2006-1067)

Approving the Redevelopment Agency entering into a Disposition and Development Agreement for La Entrada Family Apartments Project in the Barrio Logan Redevelopment Project Area, subject to analysis and written sign-off from the City Attorney relating to certain issues; approving the sale of property in the Barrio Logan Redevelopment Project Area pertaining thereto; and making certain findings with respect to the Disposition and Development Agreement and Sale.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-336: (Continued)

Subitem-C: (R-2006-1068)

Accepting the Findings of Benefit set forth in Attachment A, and incorporated herein by this reference;

Declaring the Project's Set Aside Funds shall be utilized for proposed development of La Entrada Family Apartments in the Barrio Logan Redevelopment Project Area.

**SUPPORTING INFORMATION:**

A Disposition and Development Agreement is proposed to authorize and obligate the Redevelopment Agency to assist La Entrada Family Housing Project by acquiring real properties, providing relocation assistance for existing residents and businesses on the project site and providing financial assistance with a residual receipts loan in an amount not to exceed \$13,167,000.

The developer is a partnership comprised of United Community, Inc. and Simpson Housing Solutions. They are proposing the development of a new 85 unit rental housing project on the 1700 block of Logan Avenue within the Barrio Logan Redevelopment Project Area.

The project is proposed to include 13 two bedroom units, 60 three bedroom units and 12 four bedroom units and restrict rents for 55 years to levels affordable to households earning up to 30%, 40%, 50% and 60% of area median income. The proposed project would also include a large landscaped inner courtyard, community center, underground parking, usable rooftop terrace space, public art features and other amenities. The project operator will provide social service and educational enrichment programs for on site residents. Existing uses on site are 14 residential units interspersed with various commercial uses. The project budget includes \$1 million for estimated soil remediation costs as projected by on site Phase I and Phase II soil studies.

**FISCAL CONSIDERATIONS:**

The total project is estimated to cost \$37,941,000 and is proposed to be funded with Affordable Housing 9% tax credits, private financing, deferred developer fee, Federal Home Loan Bank Affordable Housing Program funds, City Inclusionary Housing In-Lieu funds as well as Agency tax increment housing set aside funds. The developers plan to apply to the State for tax credits in mid-July 2006. Project savings and/or additional revenues will be used to reduce the Agency financing contribution.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-336: (Continued)

**SUPPORTING INFORMATION:** (Continued)

Keyser Marston Associates has been used to verify the validity of the project pro forma and prepare legally required reuse appraisal and 33433 reports. This work supports the project cost estimates and verifies that the project financing terms are substantially consistent with the financing guidelines provided for the Agency Collaborative Affordable Housing Program.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

On May 16, 2006, the Agency approved the Replacement Housing Plan and an extension of the Exclusive Negotiating Agreement with United Community, Inc. for this project.

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

The Barrio Logan Project Area Committee has voted 8-1-1 to recommend approval of the proposed DDA and implementation of the project as proposed. The Centre City Advisory Committee voted 14-7 to recommend approval of the use of up to \$13,167,000 of Centre City housing set aside funds to fund the project.

On May 24, 2006, the Centre City Development Corporation Board voted unanimously to recommend the use of up to \$13,167,000 of Centre City housing set aside funds for this project subject to the Agency reimbursing CCDC for the entire expenditure when the Agency issues financing for housing set aside funds outside of the Centre City project area.

**KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):**

The project is expected to provide significant community enhancement and valuable affordable housing for the Barrio Logan community.

Ostrye/Waring

**NOTE:** See the Redevelopment Agency Agenda of July 11, 2006 for a companion item.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

**The following items will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-337: Proposed Amendments to the Airport Approach Overlay Zone-Area Wide.

(See Centre City Development Corporation Report No. CCDC-06-09.  
Districts 2, 3, and 8.)

**CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2006-149 Cor. Copy)

Introduction of an Ordinance amending Chapter 13, Article 2, Division 2,  
of the San Diego Municipal Code relating to the Airport Approach  
Overlay Zone.

**SUPPORTING INFORMATION:**

The proposed amendments are consistent with the recently adopted Downtown  
Community Plan and were requested by the San Diego County Regional Airport  
Authority.

**FISCAL CONSIDERATIONS:**

None.

**CENTRE CITY DEVELOPMENT CORPORATION RECOMMENDATION:**

The Centre City Development Corporation Board recommended approval of the  
amendment along with the Downtown Community Plan and Planned District Ordinance.

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

The Centre City Advisory Committee and Planning Commission have all recommended  
approval of the amendments.

**PROJECTED IMPACTS:**

None.

Richter/Graham

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

**NOTE:** The following Item 338 maybe heard after the consent agenda in the morning.

ITEM-338: Public Safety Strategic Plan.

(Citywide.)

**STAFF'S RECOMMENDATION:**

Take the following action:

Present and receive the Public Safety Strategic Plan.

Staff: Bill Maheu - (619) 531-2730

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT